

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CHARLES GRAHAM aka CHARLES)	
STEVENSON and)	
RUSSELL L. DAVIS , on behalf of)	
themselves and all others similarly situated,)	
)	
Plaintiffs,)	
)	
v.)	No. 3:16-CV-1954
)	
TONY C. PARKER , Commissioner,)	Judge Crenshaw
Tennessee Department of Corrections;)	Magistrate Judge Brown
DR. MARINA CADRECHE , Assistant)	
Commissioner of Rehabilitative Services,)	
Tennessee Department of Corrections;)	
and DR. KENNETH WILLIAMS , Medical)	
Director, Tennessee Department of)	
Corrections, in their official capacities,)	
)	
Defendants.)	

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Plaintiffs Charles Graham aka Charles Stevenson and Russell Davis (“Named Plaintiffs” or “Plaintiffs”), by their undersigned counsel, hereby submit this Motion for Summary Judgment as to all counts asserted in the Complaint, Docket Entry 1, against Defendants Tony C. Parker, Commissioner, Tennessee Department of Corrections, Dr. Marina Cadreche, Assistant Commissioner of Rehabilitative Services, Tennessee Department of Corrections, and Dr. Kenneth Williams, Medical Director, Tennessee Department of Corrections, in their official capacities (collectively “Defendants”).

Plaintiffs are entitled to summary judgment because the undisputed facts show that Defendants, by their past and present actions, have violated Plaintiffs’ constitutional right to be

free from cruel and unusual punishments. This violation entitles Plaintiffs to the declaratory and injunctive relief requested as a matter of law. For these reasons, and those fully articulated in the contemporaneously filed Memorandum of Law in Support, Plaintiffs are entitled to an award of summary judgment on their claim.

In support of this motion, Plaintiffs rely upon the following:

1. Complaint (Docket Entry 1) and Exhibit 1;
2. Declaration of Karla Campbell (filed contemporaneously herewith);
3. Memorandum of Law in Support of this motion (filed contemporaneously herewith);
4. Statement of Undisputed Material Facts and Exhibits 1-5 thereto (filed contemporaneously herewith);
5. Declaration of Dr. Kenneth Williams (Docket Entry 67);
6. Declaration of Debbie Powell (filed contemporaneously under seal); and
7. Exhibits 6-12 (filed contemporaneously under seal).

Dated: June 29, 2018

Respectfully submitted,

/s/ Karla M. Campbell
Karla M. Campbell (BPR 27132)
BRANSTETTER, STRANCH
& JENNINGS, PLLC
The Freedom Center
223 Rosa L. Parks Avenue, Suite 200
Nashville, TN 37203
Phone: (615) 254-8801
Fax: (615) 255-5419
karlac@bsjfirm.com

Thomas H. Castelli (BPR 24849)
AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF TENNESSEE
P.O. Box 120160
Nashville, Tennessee 37212
Phone: (615) 320-7142

Fax: (615) 691-7219
tcastelli@aclu-tn.org

Elizabeth S. Logsdon (BPR 32066)
DISABILITY RIGHTS TENNESSEE
2 International Plaza, Suite 825
Nashville, Tennessee 37217
Phone: (615) 298-1080
Fax: (615) 298-2046
lizl@disabilityrightstn.org

CERTIFICATE OF SERVICE

I certify that on June 29, 2018, the foregoing document was electronically filed with the Clerk of the Court using CM/ECF and served via the Court's Electronic Filing System to:

Pamela S. Lorch
Tennessee Attorney General's Office
P.O. Box 20207
Nashville, TN 37202-0207

Steve Hart
Tennessee Attorney General's Office
P.O. Box 20207
Nashville, TN 37202-0207

Jim Newsom
Tennessee Attorney General's Office
40 South Main Street, Suite 1014
Memphis, TN 38103-1877

Attorneys for Defendants

/s/ Karla M. Campbell
Karla M. Campbell